

2615
EPW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Guy Menants et al.

Title: DIFFERENTIAL READOUT OF A PIXEL ARRAY WITH
ELIMINATION OF PIXEL- AND COLUMN-WISE FIXED PATTERN
NOISE

Serial No.: 09/684,611

Filing Date: October 6, 2000

Examiner: H. Long

Group Art Unit: 2615

Docket No.: BGC013

Client Ref. No.: F1531-US

Austin, Texas
December 1, 2004

COMMISSIONER FOR PATENTS
Mail Stop Amendment
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO ELECTION REQUIREMENT

Dear Sir:

This paper is responsive to the Office Action dated November 1, 2004, having a shortened statutory period expiring December 1, 2004. No extension of time is believed to be required to respond to the Action; however, in the event any extension of time is required, please consider that extension requested and please charge any associated fee, and any additional required fees, to deposit account number 50-2053. Further examination and reconsideration are respectfully requested in view of the remarks set forth below.

In that Action, the Examiner set forth an election requirement identifying three species corresponding to Figures 2, 5 and 6. Applicants respectfully traverse the election requirement. The Office Action appears to have based the requirement solely on a review of the drawings without consideration of the pending claims, as nothing is mentioned about the claims other than there allegedly being no generic claim. To the contrary, there are several generic claims that read on all of the ostensible species of Figures 2, 5 and 6.

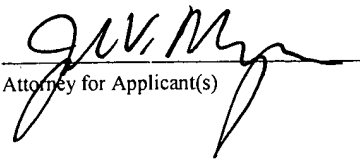
Figures 2, 5 and 6 all illustrate the same invention—an amplifying circuit for a pixel array in an imaging device. Each figure has one or more column amplifiers and an output amplifier. As noted in Applicants' specification at page 12, line 6, the column amplifier in Figure 2 is reference number 20. This same reference number is used in Figures 5 and 6. As further noted in Applicants' specification at page 12, line 8, the output amplifier in Figure 2 is reference number 30. This same reference number is again used in Figures 5 and 6. The embodiments disclosed in Figures 2, 5 and 6 illustrate some differences in the components for the column amplifiers 20, but all of these species are encompassed by the broadest pending claims. Moreover, the illustrated differences are not the subject of any claim, i.e., there are no claims which differentiate between the embodiments of those figures. The differences pertain to features such as the shift registers and decoders, but those features are not recited in any pending claim. An election requirement should be made based on the claims describing patentably distinct species, rather than based purely on differences in the drawings.

Applicants' independent Claims 1, 8, 9, 14, and 17 read on all of the ostensible species identified in the Office Action. Claim 1 is directed to an amplifying circuit, while Claim 8 is directed to an array of amplifying circuits, Claim 9 is directed to an imaging device that uses an amplifying circuit, and Claim 14 is directed to a pixel having an amplifying circuit. Claim 17 is directed to a method of reducing fixed pattern noise in pixels have an amplifying circuit. The characteristics of the amplifying circuit are common to each of the embodiments shown in Figures 2, 5 and 6. Where only generic claims are presented, no restriction can be required. See MPEP §809.02(d).

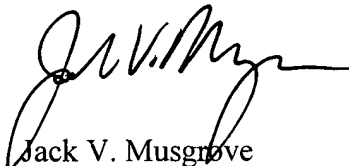
Subject to the foregoing objections, Applicants provisionally elect Figure 2 for prosecution on the merits; however, Applicants would argue that all pending claims (Claims 1-25) are readable on the embodiment of Figure 2, as explained above.

Applicants have made a diligent effort to advance the prosecution of this application by addressing the merits of the election requirement and making the provisional election. In view of

the remarks set forth herein, the application is believed to be in condition for allowance and a notice to that effect is solicited. Nonetheless, should any issues remain that might be subject to resolution through a telephonic interview, the examiner is requested to telephone the undersigned.

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, Mail Stop Amendment, P.O. Box 1450, Alexandria, VA 22313-1450, on December 1, 2004.	
 Attorney for Applicant(s)	<u>Dec. 1, 2004</u> Date of Signature

Respectfully submitted,


Jack V. Musgrove
Attorney for Applicant(s)
Reg. No. 31,986